

# **DEVELOPING YOUR PROJECT PROPOSAL**

## **I. Preliminary Research & Contacts**

Before spending a large amount of time and money developing a project proposal, you should first contact the appropriate local officials. Officials in the Office of Code Administration and the Department of Planning will be able to tell you if your project seems feasible, what permits are needed, and how long will the process take. The feasibility of your project is largely based upon the Danvers Zoning and Wetlands Bylaws. Therefore, it is recommended that you consult both of these documents.



**1. Zoning:** The following is a breakdown of zoning in Danvers:

**General Zoning:** The Zoning Bylaw will provide detailed information pertaining to land uses and dimensional and setback requirements within each district. In addition, the Bylaw will prescribe other requirements such as setbacks, parking and landscaping.

**Floodplain and Floodways (section 31):** All land within the 100 year floodplain as shown on the Floodplain Insurance Rate Map (FIRM) and further defined by the Flood Profiles contained in the Flood Insurance Study must comply with the provisions in this section.

**Groundwater Protection District (section 27):** Land located within zones 1,2 and 3 as shown on the “Groundwater Protection Districts” map must comply with provisions in this section.

Your project proposal will follow one of three courses as the first step in the permit process. They are as follows:

**Variance / Finding to the Zoning Bylaw (section 3):** The Zoning Board of Appeals may grant a variance / finding if its finds that:

- a) a literal interpretation of the Bylaw would impose a substantial hardship, financial or other burden
- b) the hardship is owing to circumstances relating to the soil conditions, slope or topography affect the land or structure in a special way, but not the zoning district in general; and
- c) relief may be granted without substantial detriment to the public good or the intent and purpose of the Danvers Zoning Bylaw.

**Special Permits (section 30):** Under the Zoning Bylaw, specific uses are allowed by special permit only. Under most circumstances the Special permit Granting Authority (SPGA) is the ZBA, unless otherwise designated, in which case the Planning Board or the Board of Selectmen will be the SPGA.

**Allowed by Right:** If the project proposal meets all of the zoning requirements and does not need any special permits or variances, then the application may proceed to the next phase of the approval process.

### **3. WETLANDS PERMITS**

Work in a resource area or within the 100 foot buffer zone of a resource area and work within 200 feet of the riverfront protection area as defined by the Massachusetts Wetlands Protection Act is regulated by the Conservation Commission. Many kinds of development are prohibited in such areas, and those that are allowed may require a permit called an Order of Conditions.

### **4. SUBDIVISION APPROVAL**

If the project proposal involves dividing land into lots or parcels (either residential or commercial) and requires the construction of new streets, you must obtain subdivision approval from the Planning Board. If the project does not require new streets, then you may be able to obtain a sign off from the Planning Board on an "Approval-Not-Required."

### **5. BUILDING PERMIT**

Before starting any construction and after obtaining all necessary permits, the Building Inspector will issue a building permit. Final reviews of zoning, building and construction and handicapped access for local and state compliance are conducted.

### **6. RELATED PERMITS**

Components of the proposed project may require additional review and approval from other Town agencies such as:

**Board of Health** - This agency enforces the state and local health and environmental codes.

Permits and certificates issued include those for septic systems, hazardous materials, restaurants and food retailers and swimming pools.

**Department of Public Works** - All work within a public way owned by the Town, such as the installation of driveways or utility lines, requires a permit.

**Preservation Commission** -

**Sign Permits** - All signs require approval from the Building Inspector or the Zoning Board of Appeals.

**State and Federal Permits** - Depending on the nature of the proposed project permits from the State or the Federal government may be required. Three of the most common are:

- a curb-cut permit from the Massachusetts Highway Department for work affecting a state highway;
- a permit from the US Army Corps of Engineers for work affecting certain wetlands and water ways;
- a certificate of Compliance from the Massachusetts Executive Office of Environmental Affairs.